GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Departmental proceedings initiated against Sri P.Subba Rao, Retired Prohibition and Excise Superintendent on the allegation of criminal misconduct and criminal conspiracy– Orders dated 28.11.2019 in W.P.No.19087 of 2019 & W.P.No.19088 of 2019 – Implemented - Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No.249 **Dated:13-04-2022**

Read the following:-

1. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.14/RCO-VGT/2012, dt.10.10.2012.
2. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.61/RCO-VGT/2012, dt.12.11.2012.
3. Govt.Memo No. 45965/Vig.V(2)/2012-1, dated.16.01.2013 of the Rev(Vig.V) Dept.
4. Govt.Memo No. 51902/Vig.V(2)/2012-1, dated.16.01.2013 of the Rev(Vig.V) Dept.
5. From the Secy., T.D.P., Tribunal Enquiry case No.128 of 2013, dated.21.06.2013.
6. Govt.Memo No. 51902/Vig.V(2)/2012-4, dated.25.05.2013 of the Rev(Vig.V) Dept.
7. G.O.Rt.No.1831, Rev.(Vig.V) Dept., Dt.28.12.2018.

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ORDER:

Whereas it was brought to the notice of the Government that Sri P.Subba Rao, Retired Prohibition and Excise Superintendent, while working, was involved in two disciplinary cases pertaining to liquor syndicate cases of Guntur district along with the other Prohibition and Excise officials. After conducting detailed inquiries in both the cases, the Director General, Anti Corruption Bureau, in his reports references. 1st & 2nd read above recommended to place Sri P.Subba Rao on his defense before Tribunal for Disciplinary proceedings in one case and Commissioner of Inquiries in another case.

2. And whereas after careful examination of the recommendations of the Director General, Anti Corruption Bureau, Government have taken a decision to entrust one case against him to the Tribunal for Disciplinary proceedings in the reference. 3rd read above and another case against him to the Commissioner of Inquiries in the reference. 4th read above. Accordingly, Charge memos were issued in both the cases.

3. Aggrieved by the charge memos, Sri P.Subba Rao has filed W.P.No.19088 of 2019 & W.P.No.19087 of 2019 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court, while disposing the said W.P.s have passed the following Orders dated: 28.11.2019 in W.P.No.19088 of 2019 and W.P.No.19087 of 2019:

> *"the respondents are directed to complete the enquiry as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order."*

4. Government, after careful examination of the matter, filed W.A.No.474 of 2021 before the High Court challenging order dated: 28.11.2019 in W.P.No.19087 of 2019. The High Court in its order dt.16.09.2021 disposed the said W.A. with the following orders:

> *"Having regard to the fact that the Charge Memo was issued way back in the year 2013 while the writ petitioner was in service and that even after retirement of the writ petitioner from service in the year 2018, steps were not being taken to*

Contd.,2

conclude the disciplinary proceedings, the learned single Judge had rightly issued direction for completion of the enquiry as expeditiously as possible and preferably within the time-frame fixed and we find no good ground to interfere with the same."

5. In the G.O. reference. 7th read above, Orders were issued sanctioning provisional pension @ 75% of eligible pension entitled to Sri P.Subba Rao, as he was retired on 31.03.2018, under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980, pending finalization of disciplinary proceedings initiated against him duly withholding the payment of entire Death-cum-Retirement Gratuity and other pensionary benefits admissible to the above Retired Officer shall be kept in abeyance till the final orders issued in disciplinary proceedings pending against him.

6. Government after careful examination of the matter and in compliance with the orders dated: 28.11.2019 in W.P.No.19088 of 2019 and W.P.No.19087 of 2019 have decided to implement the orders and accordingly, hereby accord sanction to pay all consequential pensioner and other retirement benefits which are due to Sri P.Subba Rao, Retired Prohibition and Excise Superintendent.

7. The Commissioner of Prohibition and Excise shall take necessary action as expeditiously as possible in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri P.Subba Rao, Retired Prohibition and Excise Superintendent through the Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.

The Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.

Copy to:

The Accountant General (A&E), Andhra Pradesh, Hyderabad.

The Director of Treasuries and Accounts, A.P., Vijayawada.

The Government Pleader for Services-I, Andhra Pradesh High Court, Amaravati w.r.t. W.P.No.19087 of 2019 & W.P.No.19088 of 2019.

The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P. Secretariat, Velagapudi.

The Secretary, Tribunal for Disciplinary proceedings, Nampally, Hyderabad.

The General Administration (COI-KVR) Department, A.P.Secretariat, Velagapudi.

Sc/Sf.

//FORWARDED:: BY ORDER//

R. Vijay Kishore

SECTION OFFICER